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PATENT APPLICATION

ATTORNEY DOCKET NO. 200311928-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Charles R. Weirauch

Confirmation No.: 4096

Application No.: 10/618,115

Examiner: Goma, Tawfik A.

Filing Date: July 10, 2003

Group Art Unit: 2627

Title: OPTICAL STORAGE MEDIUM WITH OPTICALLY DETECTABLE MARKS

Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner date, 11/13/2006, rejecting the following claims 1-18 and 27-29.

The fee for this Notice of Appeal is (37 CFR 1.17(B)) **\$500.00**.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.13 6(a) apply.

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (FEES: 37 CFR 1.17 (a)-(d) for the total number of months checked below:

☐ 1st Month
\$120

☐ 2nd Month
\$450

☐ 3rd Month
\$1050

☐ 4th Month
\$1590

- ☐ The extension fee has already been filed in this application

- ☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **08-2025** the sum of \$ 500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **08-2025** pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees.

Respectfully submitted,

Charles R. Weirauch

By: /Randy A. Noranbrock/

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Date : January 12, 2007

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I hereby certify that this document is being transmitted to the Patent and Trademark Office via electronic filing.

Date of Transmission: January 12, 2007